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Attorneys for Defendant,

RECEIVABLES PERFORMANCE MANAGEMENT, LLC

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

JACQUELINE TAYLOR,

Plaintiff,

v.

RECEIVABLES PERFORMANCE
MANAGEMENT, LLC, a Delaware
limited liability company, and Does 1-
10,

Defendants.

Case No. _____

NOTICE OF REMOVAL

DEFENDANT'S NOTICE OF REMOVAL

Defendant RECEIVABLES PERFORMANCE MANAGEMENT, LLC
hereby files this notice of removal under 28 U.S.C. §1446(a).

A. INTRODUCTION

1. The parties to this action are Plaintiff, JACQUELINE TAYLOR
("Plaintiff") and Defendant RECEIVABLES PERFORMANCE MANAGEMENT,
LLC ("Defendant").

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1 2. Upon information and belief, Plaintiff initially filed this case on
2 September 10, 2015, in the Superior Court of California, County of Orange, Case
3 No. 30-2015-00808898-CU-PO-CJC. A true and correct copy of Plaintiff's
4 Summons and Complaint is attached hereto as Exhibit "A."

5
6 3. On September 15, 2015, Defendant was personally served with the
7 Summons and a copy of Plaintiff's Complaint.
8

9 4. As Defendant received Plaintiff's Complaint on September 15, 2015,
10 Defendant files this notice of removal within the 30-day time period required by 28
11 U.S.C. §1446(b).
12

13 **B. BASIS FOR REMOVAL**
14

15 5. Removal is proper because Plaintiff's Complaint involves a federal
16 question. 28 U.S.C. §§1331, 1441(b); *Long v. Bando Mfg. of Am., Inc.*, 201 F.3d
17 754, 757-58 (6th Cir. 2000); *Peters v. Union Pac. R.R.*, 80 F.3d 257, 260 (8th Cir.
18 1996); *Mims v. Arrow Fin. Servs.*, 132 S.Ct. 740, 746 (2012). Specifically,
19 Plaintiff has alleged claims that arise under 47 U.S.C. § 227 *et seq.* for alleged
20 violations of the Telephone Consumer Protection Act ("TCPA"). It is therefore an
21 action of which this Court has original jurisdiction under 28 U.S.C. § 1331, and
22 may be removed to this Court by Defendant pursuant to the provisions of 28
23 U.S.C. § 1441(a).
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1 6. Venue is proper in this district under 28 U.S.C. §1441(a) because this
2 district and division embrace the place where the removed action has been
3 pending.
4

5 7. Defendant will promptly file a copy of this notice of removal with the
6 clerk of the state court where the action has been pending.
7

8 **B. JURY DEMAND**

9 8. Defendant demands a jury trial.
10

11 **C. CONCLUSION**

12 9. Defendant respectfully requests removal of this action as it
13 involves a Federal question under 47 U.S.C. § 227 *et seq.* for alleged violations of
14 the Telephone Consumer Protection Act
15
16

17 **CARLSON & MESSER LLP**

18 Dated: October 14, 2015

19 By: 

20 David J. Kaminski
21 Stephen A. Watkins
22 Attorneys for Defendant,
23 RECEIVABLES PERFORMANCE
24 MANAGEMENT, LLC
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